

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

John Ray Dowdle,)	
)	C/A No. 6:10-0159-MBS
Plaintiff,)	C/A No. 6:10-0390-MBS
)	
vs.)	ORDER
)	
Sheriff Bill Blanton, et al.,)	
)	
Defendants.)	
_____)	

Plaintiff John Ray Dowdle is a pretrial detainee at the Cherokee County Detention Center in Gaffney, South Carolina. Plaintiff, proceeding pro se, filed a complaint pursuant to 42 U.S.C. § 1983 on January 27, 2010, alleging that his constitutional rights have been violated in various respects. See C/A No. 6:10-159-MBS. Plaintiff thereafter filed a complaint containing similar allegations on February 18, 2010. See C/A No. 6:10-390-MBS.

These matters are before the court on motions to consolidate filed by Defendants on April 27, 2010 (Entry 34 in C/A No. 6:10-159; Entry 18 in C/A No. 6:10-390). In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., this matter was referred to United States Magistrate Judge William M. Catoe for pretrial handling. On May 13, 2010, the Magistrate Judge issued a Report of Magistrate Judge in which he recommended that the motions to consolidate be granted. Plaintiff filed no objections to the Report of Magistrate Judge.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight. The responsibility for making a final determination remains with this court. Mathews v. Weber, 423 U.S. 261, 270 (1976). The court is charged with making a de novo determination of any portions of the Report of Magistrate Judge to which a specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the

Magistrate Judge or may recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1). In the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must “only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Diamond v. Colonial Life & Acc. Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005).

The court has carefully reviewed the record and adopts the Report of Magistrate Judge. Defendants’ motions to consolidate (Entry 34 in C/A No. 6:10-159; Entry 18 in C/A No. 6:10-390) are **granted**. These matters are recommitted to the Magistrate Judge for additional pretrial handling.

IT IS SO ORDERED.

/s/ Margaret B. Seymour
United States District Judge

Columbia, South Carolina

June 8, 2010.